

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

CHAPTER 128

HOUSE BILL 2130

AN ACT

AMENDING SECTION 17-316, ARIZONA REVISED STATUTES; RELATING TO HUNTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 17-316, Arizona Revised Statutes, is amended to
3 read:

4 17-316. Interference with rights of hunters; violation;
5 classification

6 ~~A. The commission may, by rule, establish designated hunting areas on~~
7 ~~public lands if it finds that a significant interference or disruption of a~~
8 ~~hunt is likely to occur on those lands.~~

9 ~~B. A. It is a class 2 misdemeanor for a person while in a designated~~
10 ~~hunting area to intentionally interfere with, PREVENT OR DISRUPT the lawful~~
11 ~~taking of wildlife by: another or to intentionally harass, drive or disturb~~
12 ~~any game animal for the purpose of disrupting a lawful hunt.~~

13 1. HARASSING, DRIVING OR DISTURBING ANY WILDLIFE.

14 2. BLOCKING, OBSTRUCTING OR IMPEDING, OR ATTEMPTING TO BLOCK, OBSTRUCT
15 OR IMPEDE, A PERSON LAWFULLY TAKING WILDLIFE.

16 3. ERECTING A BARRIER WITHOUT THE CONSENT OF THE LANDOWNER OR LESSEE
17 WITH THE INTENT TO DENY INGRESS TO OR EGRESS FROM AREAS WHERE WILDLIFE MAY BE
18 LAWFULLY TAKEN.

19 4. MAKING OR ATTEMPTING TO MAKE PHYSICAL CONTACT, WITHOUT PERMISSION,
20 WITH A PERSON LAWFULLY TAKING WILDLIFE.

21 5. ENGAGING IN, OR ATTEMPTING TO ENGAGE IN, THEFT, VANDALISM OR
22 DESTRUCTION OF REAL OR PERSONAL PROPERTY.

23 6. DISTURBING OR ALTERING, OR ATTEMPTING TO DISTURB OR ALTER, THE
24 CONDITION OR AUTHORIZED PLACEMENT OF REAL OR PERSONAL PROPERTY INTENDED FOR
25 USE IN THE LAWFUL TAKING OF WILDLIFE.

26 7. MAKING OR ATTEMPTING TO MAKE LOUD NOISES OR GESTURES, SET OUT OR
27 ATTEMPT TO SET OUT ANIMAL BAITS, SCENTS OR LURES OR HUMAN SCENT, USE ANY
28 OTHER NATURAL OR ARTIFICIAL VISUAL, AURAL, OLFACTORY OR PHYSICAL STIMULI, OR
29 ENGAGE IN OR ATTEMPT TO ENGAGE IN ANY OTHER SIMILAR ACTION OR ACTIVITY, IN
30 ORDER TO DISTURB, ALARM, DRIVE, ATTRACT OR AFFECT THE BEHAVIOR OF WILDLIFE OR
31 DISTURB, ALARM, DISRUPT OR ANNOY A PERSON LAWFULLY TAKING WILDLIFE.

32 8. INTERJECTING ONESELF INTO THE LINE OF FIRE OF A PERSON LAWFULLY
33 TAKING WILDLIFE.

34 ~~C. B. It is a class 3 misdemeanor for a person to enter or remain in~~
35 ~~ON a designated hunting area on any PUBLIC OR PRIVATE LANDS OR WATERS OR~~
36 ~~state lands including state trust lands with the intent to interfere with,~~
37 ~~PREVENT OR DISRUPT the lawful taking of wildlife.~~

38 ~~D. C. The commission or any person properly licensed to take wildlife~~
39 ~~who is directly affected by a violator VIOLATION of this section may bring an~~
40 ~~action to restrain conduct declared unlawful in this section and to recover~~
41 ~~damages.~~

1 E. A peace officer who reasonably believes that a person has violated
2 this section may order the person to desist or to leave the area or arrest
3 such person upon refusal to desist or leave.

4 F. The conduct declared unlawful in this section does not:

5 1. Include any incidental interference arising from lawful activity by
6 public land users, including ranchers, miners or recreationists.

7 2. APPLY TO LANDOWNERS, PERMITTEES, LESSEES OR THEIR AGENTS OR
8 CONTRACTORS ENGAGED IN ANIMAL HUSBANDRY PRACTICES OR AGRICULTURAL OPERATIONS.

APPROVED BY THE GOVERNOR APRIL 17, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2006.